

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INFERNAL TECHNOLOGY, LLC and
TERMINAL REALITY, INC.,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Microsoft.

Civil Action No. 2:18-cv-00144-JRG

JURY TRIAL DEMANDED

STIPULATION OF DISMISSAL UNDER RULE 41

Plaintiffs Infernal Technology, LLC and Terminal Reality, Inc. (“Plaintiffs”) and Defendant Microsoft Corporation (“Defendant”) have resolved this dispute and accordingly, under Rule 41(a)(1)(A)(ii), stipulate to (i) the dismissal with prejudice of all claims made by Plaintiffs against Defendant in this action and (ii) the dismissal without prejudice of Defendant’s counterclaims against Plaintiffs in this action. Plaintiff and Defendant further stipulate that each party will bear its own costs and attorneys’ fees in this action.

Accordingly, pursuant to Federal Rule 41, the parties hereby request that the Court (i) dismiss with prejudice all claims made by Plaintiffs against Defendant in this action and (ii) dismiss without prejudice Defendant’s counterclaims against Plaintiffs in this action.

Dated: September 9, 2019

KLARQUIST SPARKMAN, LLP

By: /s/ Melissa R. Smith

Kristin L. Cleveland
kristin.cleveland@klarquist.com
121 S.W. Salmon Street, Suite 1600
Portland, Oregon 97204
Telephone: (503) 595-5300

Sonal N. Mehta
smehta@durietangri.com
Eugene Novikov (*pro hac vice*)
ENovikov@durietangri.com
Timothy P. Horgan-Kobelski (*pro hac vice*)
tkobelski@durietangri.com
Eric Wiener (*pro hac vice*)
EWiener@durietangri.com
Andrew L. Perito
aperito@durietangri.com
DURIE TANGRI LLP
217 Leidesdorff Street
San Francisco, CA 94111
Telephone: (415) 362-6666

Melissa R. Smith
State Bar No. 24001351
melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

**ATTORNEYS FOR DEFENDANT
MICROSOFT CORPORATION**

Respectfully submitted,

BUETHER JOE & CARPENTER, LLC

By: /s/ Niky R. Bagley

Eric W. Buether
State Bar No. 03316880
Eric.Buether@BJCIPLaw.com
Christopher M. Joe
State Bar No. 00787770
Chris.Joe@BJCIPLaw.com
Brian A. Carpenter
State Bar No. 03840600
Brian.Carpenter@BJCIPLaw.com
Kenneth P. Kula
State Bar No. 24004749
Ken.Kula@BJCIPLaw.com
Niky R. Bagley
State Bar No. 24078287
Niky.Bagley@BJCIPLaw.com
Michael D. Ricketts
State Bar No. 24079208
Mickey.Ricketts@BJCIPLaw.com
Michael C. Pomeroy
State Bar No. 24098952
Michael.Pomeroy@BJCIPLaw.com

1700 Pacific Avenue
Suite 4750
Dallas, TX 75201
Telephone: (214) 466-1279
Facsimile: (214) 635-1830

**ATTORNEYS FOR PLAINTIFFS
INFERNAL TECHNOLOGY, LLC AND
TERMINAL REALITY, INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 9, 2019 a true and correct copy of the above and foregoing document was electronically filed in compliance with Local Rule CV-5(a)(3). As such, this document was served on all counsel who have consented to electronic service.

/s/ *Melissa R. Smith*